

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Administrative Meeting
Tribal Court Room 1150 Bayview, Petoskey, MI 49770
April 08, 2001
9:30 a.m.

Executive Session: Yes

Called to Order: Meeting was called to order at 9:35 a.m.

Council Present: Chairman Gerald V. Chingwa, Vice-Chairman George Anthony, Secretary Susan Wysocki, Treasurer Alice Yellowbank, Councilor Janet Shomin, Councilor Bea Law, Councilor Bentley

Council Absent:

Staff Present: See attached list

Guests: See attached list

Motion made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to adopt the 04-08-01 Agenda as amended.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Wysocki** to approve the minutes as corrected of March 18, 2001.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to enter into the record the phone poll dated 3-21-01 "Approve Travel to Meridan, Mississippi for Dorothy Gasco for the Economic Development Commission". The vote failed.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Shomin** to enter into the record the phone poll dated 3-21-01 " Authorization for property purchase Resolution #032101-01". The vote passed.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Wysocki** and **Supported** by **Councilor Yellowbank** to appoint Rita Brubacker to the Education Commission.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Anthony** to appoint Warren Petoskey to the Education Commission.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Wysocki** and **Supported** by **Councilor Anthony** to appoint Gregory Keway to the Health Board for a three year term to expire three years from the date of the oath of office.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Wysocki** to appoint Rosanna Givens to the Health Board for a three year term to expire three years from the date of the oath of office.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to appoint Cheryl L. Kishigo to the Gaming Administration Commission term to be defined.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank** to reappoint Ray Kiogima to the Housing Commission for a four year term.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Recess: Called at 10:57 A.M. Meeting reconvenes at 11:08 A.M.

Motion made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to accept the resignation letter from Housing Commissioner Julie Carver.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Public Comment: Called at 11:55 a.m. Comments provided by: Gary Shomin reads two letters by Tribal Members Tim LaCroix & Cathi Rotan. Rosemary Knapp, Deleta Smith, Marcia Sutton, Diane Naganashe, Ken Harrington, Rita Shananaquet, Melissa Laughlin, Andrew Stitch, Gary Shomin.

Public Comment: Closed at 12:32 p.m.

Recess: Called at 12:32 p.m. Meeting reconvenes at 2:04 p.m.

Motion made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank** to accept the Tribal Chairman's verbal report.

Vote: 6 Yes 1 No (**Shomin**) 0 Abstained 0 Absent

Motion Carried

Introduction of Health Department New Employees: Cathy Gibson, Traci Taylor and Kelly Weesaw.

Recess: Called at 4:05 p.m. Meeting reconvenes at 4:15 p.m.

Motion made by **Councilor Wysocki** and **Supported** by **Councilor Anthony** to move into construction documents next phase.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

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Motion made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank** to authorize bid's for construction of access roads and site clearing.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Anthony** to approve resolution #040801-01 "Long Range Transportation planning" in the amount of \$35,000.00.

Roll Call Vote: Chingwa-Yes, Anthony-Yes, Bentley-Yes, Yellowbank-Yes, Shomin-No, Wysocki-Yes, Law-Yes

Vote: 6 Yes 1 No (Shomin) 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Anthony** to approve resolution 040801-02 "Diabetes Program" in the amount of \$34,450.00 with indirect costs coming from Enterprise Fund.

Roll Call Vote: Chingwa-Yes, Anthony-Yes, Bentley-Yes, Yellowbank-Yes, Shomin-No, Wysocki-Yes, Law-Yes

Vote: 6 Yes 1 No (Shomin) 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to not support the grant application for Law Enforcement Tribal Resources.

Vote: 6 Yes 0 No 1 Abstained (Wysocki) 0 Absent

Motion Carried

Public Comment: Called at 5:17 a.m. Comments made by: Victor Kishigo read letter sent to tribal Council & Chief Judge Petoskey –Re: referendum, Gary Shomin – Re: previous letter he read.

Public Comment: Closed at 5:38 p.m.

Motion made by **Councilor Anthony** and **Supported** by **Councilor Bentley** to go into Executive Session for legal/personnel issues at 5:36 p.m.

Vote: 5 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Bentley** to return to open Session at 8:07 p.m.

Vote: 5 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Recess: Called at 8:07 p.m. Meeting reconvenes at 8:12 p.m.

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Bentley** to allow the Gaming Regulatory Commission to continue the employment of the Director of Compliance, pending further research.

Vote: 4 Yes 1 No (Shomin) 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Law** to have a special meeting at 10:00 a.m. on April 17, 2001 at 1150 Bayview to discuss legal issues.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

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Motion made by **Councilor Shomin** and **Supported** by **Councilor Wysocki** to authorize Chairman Chingwa to sign the Family Medical Leave act for key employee notification for, Audrey Perry, Tribal Administrator.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Anthony** to appoint Bea Law to the Economic Development Commission as the Tribal Council representative.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Law** and **Supported** by **Councilor Yellowbank** to approve the commercial fishing Development fund and authorize the chairman to sign letters for draw down (the first of two installments totaling \$544,799.00).

Vote: 6 Yes 0 No 1 Abstained (**Anthony**) 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Wysocki** to authorize Councilor Anthony's travel for stipend, mileage & per diem to retrieve the fishing tug during the month of April.

Vote: 6 Yes 0 No 1 Abstained (**Anthony**) 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to approve further development of plan #5 repressing (88%) Captain, (7%) in catastrophic escrow account and (5%) for lease to the tribe for further development.

Vote: 4 Yes 2 No (**Chingwa and Wysocki**) 1 Abstained (**Anthony**) 0 Absent

Motion Carried

Motion made by **Councilor Wysocki** and **Supported** by **Councilor Anthony** to postpone the Trust Fund Board Statute.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Shomin** to accept list (A), people eligible for membership.

Vote: 6 Yes 1 No (**Chingwa**) 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Law** to accept list (B), people ineligible for membership.

Vote: 6 Yes 1 No (**Chingwa**) 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank** to accept list (c), Declination.

Vote: 6 Yes 1 No (**Chingwa**) 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to approve the 2001 Enterprise Budget Modification.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

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Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Anthony** to approve the 2001 Executive Draft Budget.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Law** and **Supported** by **Councilor Yellowbank** to approve Resolution #040801-3 "2000 Capital Expenditures treated as Owner's Equity".

Vote: 6 Yes 1 No (**Shomin**) 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Yellowbank** and **Supported** by **Councilor Shomin** to add to the 4/22/01 Legislative calendar 3 amendments, the Budget Formulation Process, the Removal/Nepotism and the Service of Commissioners.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Law** to accept the 2001 Pow Wow Budget and approve \$3,672.00 for indirect costs to come from the enterprise budget.

Vote: 6 Yes 0 No 1 Abstained (**Yellowbank**) 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Law** to approve corporate sponsorship of Greensky Hill United Methodist Church's annual Golf Outing in the amount of \$500.00 to come from the enterprise fund.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Bentley** to rescind the previous motion, and to allowed Jim Bransky, Tribal Attorney to represent the Chairman in a removal hearing and not allow Jim Bransky to represent or defend Gerald Chingwa in the removal hearing.

Vote: 3 Yes 3 No (**Wysocki, Yellowbank, Anthony**) 1 Abstained (**Chingwa**) 0 Absent

Motion Failed

Motion made by **Councilor Shomin** and **Supported** by **Councilor Law** to approve the petitioner to hire an attorney to represent the people in the removal hearing at the expense of Tribal Council

Vote: 3 Yes 3 No (**Wysocki, Yellowbank, Anthony**) 1 Abstained (**Chingwa**) 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Law** to rescind the previous motion, and to allow subpoena power as requested by the petitioner on 2/1/01 for the removal hearing of Gerald Chingwa. To allow correspondence from the petitioner dated and received 2/1/01, requesting documentation and review of records.

Vote: 3 Yes 3 No (**Wysocki, Yellowbank, Anthony**) 1 Abstained (**Chingwa**) 0 Absent

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Law** to adjourn the 4/08/01 Administration of Tribal Council as 9:32 p.m.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

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These Minutes have been read and approved as written:

Approved:

Tribal Council Secretary

Date

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